

Remarks/Arguments:

With the present response, claims 1-13 and 15-23 are pending, with claims 3, 9, 17, 22, and 23 having been withdrawn as a result of a Restriction Requirement.

The Office Action stated that claims 3, 9, 17, and 23 are withdrawn from consideration. Applicants respectfully submit that claim 22 was also withdrawn by the election mailed September 11, 2006. In a telephone discussion conducted on January 10, 2007 between the undersigned and Examiner Prone, it was agreed that claims 3 and 9 that were not withdrawn in the election mailed September 11, 2006 should have also been withdrawn, and are properly withdrawn in the Office Action. Further, claim 22, which was listed in the Office Action as both rejected under 35 §U.S.C. 103 and allowable, is withdrawn, and that both the rejection and allowability of claim 22 were improper.

The Examiner is thanked for the indication that claims 3, 16, 19, 21, and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. As noted during the above-referenced telephone discussion, claims 3 and 22 have been withdrawn from consideration and are not presently under examination.

Claim 16 has been amended to incorporate all of the limitations of claim 15, from which it depends, with claim 19 depending from claim 16; and claim 21 has been amended to incorporate all of the limitations of claim 15, from which it depends.

Claim objections

Claim 14 stands objected as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 14 has been cancelled. Withdrawal of the objection to claim 14 is respectfully requested.

Claim rejections

Claims 1, 2, 4-8, 10-16, and 18-22 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 6,322,585 to Khosravi et al. ("Khrosavi") in view of U.S. Patent No. 5,527,353 to Schmitt ("Schmitt"). As discussed above, claim 22 has been withdrawn, and the rejection of claim 22 is moot.

Claim 1, as amended, recites, *inter alia*, a non-porous graft adapted to be secured to a stent surrounding said graft. The graft comprises a fastening element adapted to be secured

to said stent, wherein said fastening element is fixed between said inner layer and said outer layer, and *wherein said fastening element is positioned to project between elements of said stent when said graft is secured to said stent.*

Claim 10, as amended, recites, *inter alia*, a non-porous tubular graft adapted to be secured to a stent surrounding said graft. The graft comprises an outer layer of knitted, woven, or braided material laminated to said inner layer, wherein said outer layer includes a plurality of fastening elements extending outwardly from said outer layer along a length of said outer layer of said tubular graft. *At least some of said fastening elements are positioned to extend between elements of the stent when said stent is surrounding said graft.*

Claim 15 recites, *inter alia*, a stent-graft for defining a fluid passageway in a body lumen. The stent-graft comprises a stent and a graft comprising a plurality of fastening elements, and the stent comprises a plurality of stent elements. Each of said plurality of fastening elements projects into a space between the stent elements and is secured to said stent.

Claim 20 recites, *inter alia*, a stent-graft for defining a fluid passageway in a body lumen. The stent-graft comprises a stent comprised of stent members and a graft comprising a plurality of fastening elements. At least some of the fastening elements are adapted to be secured on an outer surface of the stent surrounding said graft. *At least a part of each fastening element extends into a space between the stent elements.*

Each of claims 1, 10, 15, and 20 recites fastening elements that extend or project between stent elements or into a space between stent elements. By way of example only, FIG. 2B shows fastening member 18 extending/projecting *between* stent members 12A/12C and 12B/12D. Fastening member 18 does not extend *over* any of members 12A, 12B, 12C, or 12D.

Khosravi, on the other hand, discloses a stent-graft 810 with a slidable exo-skeleton 814. Col. 12, lines 28-29. Fasteners 840a, 840b extend *over* each of segments 832a, 832b of support elements 832. See Khosravi FIG. 13. Applicants respectfully submit that Khosravi fails to disclose or suggest the limitation of a fastening element extending or projecting

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between stent members, as is recited in claims 1, 10, 15, and 20. Further, Schmitt is cited for the disclosure of both an inner layer and an outer layer. Applicants respectfully submit that the proposed combination of Khosravi with Schmitt also fails to cure the deficiencies of Khosravi.

Because the cited prior art fails to disclose or suggest all of the limitations of claims 1, 10, 15, and 20, Applicants respectfully submit that the rejection of these claims is improper. Reconsideration and allowance of claims 1, 10, 15 ,and 20 is respectfully requested.

Claims 2 and 4-8 all depend from claim 1; claims 11-13 all depend from claim 10; and claim 18 depends from claim 15. Applicants respectfully submit that claims 2 and 4-8; 11-13; and 18 are all patentable over the cited prior art for at least the same reasons as set forth above with respect to claims 1, 10, and 15, respectively. Reconsideration and allowance of claims 2, 4-8, 11-13, and 18 is respectfully requested.

Claims 16, 19 and 21 were indicated in the Office Action as being objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claims 16 and 21 have been so amended. Reconsideration and allowance of claims 16 and 21 is respectfully requested. Claim 19 depends from claim 16 and is therefore allowable for at least the same reasons as set forth above with respect to claim 16. Reconsideration and allowance of claim 19 is respectfully requested.

Conclusion

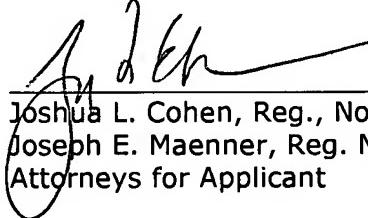
With the above amendments and arguments, Applicants respectfully submit that claims 1, 2, 4-8, 10-13, 15, 16, and 18-21 are in condition for allowance. Prompt reconsideration and allowance of claims 1, 2, 4-8, 10-13, 15, 16, and 18-21 is respectfully requested.

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In the event that claims 1, 15, and 20 are allowed, Applicants respectfully submit that withdrawn claims 3, 9, 17, and 22 are allowable as being dependent upon allowed base claims and will thus be allowable as well. Reentry and allowance of claims 3, 9, 17, and 22 is also respectfully requested.

Respectfully submitted,



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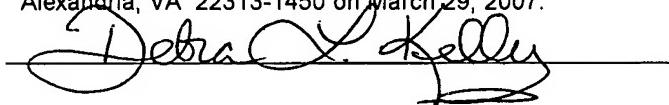
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